

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

336E0532

HOUSE BILL NO. 1290

Introduced by: Representatives Juhnke and Jensen and Senator Koskan

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to the loss of hunting,
2 fishing, or trapping privileges for trespass violations.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 41-9-8 be amended to read as follows:

5 41-9-8. Any person who ~~knowingly~~ enters or remains on private property for the purpose
6 of hunting, fishing or trapping, in violation of § 41-9-1 or 41-9-2, shall have his or her hunting,
7 trapping or fishing privileges revoked for one year following such conviction. If the person is the
8 holder of a license to hunt, trap, or fish, the court shall require the license holder to surrender and
9 deliver the license to the court to be returned to the Department of Game, Fish and Parks. For
10 the purpose of this section, the term, "guilty", has the same meaning as the term, "conviction",
11 in § 32-12-53.

12 Unarmed retrieval of lawfully taken small game from either private land or land controlled
13 by the Department of Game, Fish and Parks or other public lands, is not a crime or petty offense,
14 ~~provided that~~ if such retrieval of small game does not involve the use of a motor vehicle.

15 This section ~~may~~ does not be construed to limit the civil remedies available to any landowner.